## IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

International Application No. : PCT/US2003/034789

International Filing Date : 03 November 2003 (03.11.2003)

Priority Date(s) Claimed : 01 November 2002 (01.11.2002)

Applicant(s) (DO/EO/US) : Bruce GLUCKMAN, et al.

Title: METHODS AND DEVICES FOR DETERMINING BRAIN STATE

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

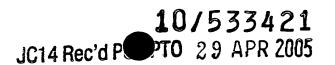
## Timing and Fees

$\boxtimes$		37 C.F.R. § 1.97(b), no fee or statement is required for filing this information sure statement is filed:
		within three months of the filing date of a national application other than a CPA under § 1.53(d);
	$\boxtimes$	within three months of the actual filing date of the national phase of a PCT application; OR
		before the mailing of a first substantive office action (including after filing of an RCE).
		37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods ied in 37 C.F.R. § 1.97(b), but before the mailing date of:
		a final rejection under 37 C.F.R. 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. § 1.311; and

		is acco	empanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
			R. § 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:
		a final	action under 37 C.F.R. § 1.113;
		termin	ation of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
		OR a r	notice of allowance under 37 C.F.R. § 1.311;
	AND i	is filed o	on or before payment of the issue fee; AND is accompanied by:
			tement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of 00 under 37 C.F.R. § 1.17(p).
Staten	nents Ui	nder 37	C.F.R. 1.97(e)
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
Cited	Materia	<u>ls</u>	
		ancest	s of materials listed but not attached were cited in benefit (35 U.S.C. § 120) or application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).
	$\boxtimes$	_	s of materials listed but not attached were cited in an international search dated May 24, 2004.
		Not re	equired by 37 CFR § 1.98.
		Copie	s of the materials listed are attached (except for the foregoing).

Non-English	Language References
$\boxtimes$	An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
	A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
	<ul> <li>X = document of particular relevance when it is taken alone</li> <li>Y = document of particular relevance when it is combined with another such document</li> </ul>
	A = document defining the general state of the art
	O = non-written disclosure
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The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Richard M. Lebovitz, Reg. No. 37,067 Attorney/Agent for Applicants

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Attorney Docket No.: GMU-0007

Date: April 29, 2005

RML:ssr

JC14 Rec'd .

PTO 29 APR 2005

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Substitute	for form 1449A/PTC	)			Complete if Known
				Application Number	USNP of PCT/US2003/034789
INFO	RMATION	DISC	CLOSURE	Filing Date	03 November 2003
STAT	EMENT B	Y AP	PLICANT	First Named Inventor	Bruce GLUCKMAN, et al.
				Group Art Unit	unknown
	(use as many she	ets as r	necessary)	Examiner Name	unknown
Sheet	1	of	1	Attorney Docket Number	GMU-0007

			U.S. P	ATENT DOCUMENTS	
Examiner Initials *	Cite No.¹	U.S. Patent Docum	ent Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document  MM-DD-YYYY
	001	6,363,279		BEN-HAIM, et al.	03-26-2002
	002	6,665,562		GLUCKMAN, et al.	12-16-2003
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	•			FOREIG	N PATENT DOCUMENTS			
		F	oreign Patent Docu	ıment		Date of Publication of	Pages, Columns, Lines, Where Relevant	
Examiner Initials*	Cite No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> ( <i>if known</i> )	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T°
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.